

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

W.R. GRACE & CO., *et al.*,  
Debtors.

Chapter 11

Case No. 01-01139 (JKF)  
Jointly Administered

**CONTINUED NOTICE OF DEPOSITION OF KAREN MCKEE**

PLEASE TAKE NOTICE that, pursuant to Rules 30 and 45 of the Federal Rules of Civil Procedure and Rules 7030 and 9014 of the Federal Rules of Bankruptcy Procedure, Arrowood Indemnity Company f/k/a Royal Indemnity Company (“Arrowood”) by and through their undersigned attorneys, will take the deposition of Karen McKee. The deposition will take place at the offices of Pepper Hamilton, LLP, 3000 Two Logan Square, Eighteenth and Arch Streets, Philadelphia, PA 19103, August 25, 2009, at 10:00 a.m. (Eastern Time), and will continue from day to day thereafter until complete. The deposition will be taken before a qualified, certified shorthand reporter or other officer authorized by law to administer oaths. This deposition is being taken for the purposes of discovery, for use at trial or for such other purposes as are permitted under the Federal Rules of Civil Procedure without limitation. The testimony will be recorded by stenographic means and may be videotaped. All documents listed on the attached Exhibit A should be brought to the deposition.

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Dated: August 20, 2009  
Wilmington, Delaware

By: /s/ Garvan F. McDaniel

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Company*

## EXHIBIT A

### ADDITIONAL DEFINITIONS

1. Capitalized terms not defined herein shall have the meanings given to them in the Plan Proponents' First Amended Joint Plan of Reorganization Under Chapter 11 of the Bankruptcy Code of W.R. Grace & Co., et. al., the Official Committee of Asbestos Personal Injury Claimants, the Asbestos PI Future Claimants Representative, and the Official Committee of Equity Security Holders Dated February 27, 2009.
2. "BNSF" means the BNSF Railway Company and its predecessors, the Great Northern Railway Company, the Burlington Northern Railroad Company, and the Burlington Northern & Santa Fe Railway Company.
3. The terms "communication" and "communications" are used in the broadest sense and include, without limitation, any oral or written transmittal of information or request for information made from one Person to another, whether made in person, by telephone or by any other means, or a Document made for the purpose of recording a communication, idea, statement, opinion or belief.

### DOCUMENTS REQUESTED

1. All documents regarding any contracts under which Grace and/or Zonolite or any of their predecessors, subsidiaries or affiliates purported to assume liability for any claims asserted against BNSF.
2. All documents exchanged with Marsh USA Inc. relating to insurance coverage or alleged insurance coverage for asbestos bodily injury claims arising from allegations of exposure to the products or operations of W.R. Grace or its predecessors.
3. All documents relating to insurance coverage or alleged insurance coverage for

asbestos bodily injury claims arising from allegations of exposure to the products or operations of W.R. Grace or its predecessors.

4. All documents relating to demands for insurance coverage that BNSF to companies other than Royal Indemnity Company, Maryland Casualty Company and Continental Insurance Company for asbestos bodily injury claims arising from allegations of exposure to the products or operations of W.R. Grace or its predecessors.

5. The proof of claim, proof of loss or other statement of claim that BNSF submitted to the estate of The Home Insurance Company for the payment among other things of asbestos bodily injury claims asserted against BNSF.

6. The complaint, proof of claim, proof of loss or other statement of claim that BNSF submitted to any State Insurance Guaranty Fund asserting a right to payment for asbestos bodily injury claims from such State Insurance Guaranty Fund as a result of the insolvency of The Home Insurance Company.

7. All documents reflecting communications between BNSF and its counsel, on the one hand, and lawyers purporting to represent individuals with asbestos bodily injury claims arising from allegations of exposure to the products or operations of W.R. Grace or its predecessors.

8. All documents relating to BNSF's document retention policies and practices.

9. All documents relating to the document retention policies and practices of Great Northern Railroad Company.